



# FACT SHEET

WETLANDS #9

Office of Water Resources / Fall 2001

## Perimeter, Riverbank and Flood Plain Wetlands

Not sure if you have a wetland on your property? There are many different types of freshwater wetlands in Rhode Island as defined by the *Freshwater Wetlands Act* and the *Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act*. This fact sheet is designed to help you understand **perimeter, riverbank, and floodplain** wetlands. Following are the official definitions of perimeter wetlands, riverbank wetland, floodplain and floodway:

### PERIMETER WETLAND

- An **Area of Land Within 50 Feet/Perimeter Wetland** is a freshwater wetland consisting of the area of land within 50 feet of the edge of any bog, marsh, swamp, or pond as defined in the Act and Rules. For purposes of identification, this area shall be measured horizontally, without regard for topography, from the edge of any bog, marsh, swamp, pond, or wetland complex containing any combination of these wetland types.

Rule 5.09

- **Perimeter Wetland** See Area of Land within 50 Feet.

Rule 5.57

### RIVERBANK WETLAND

- A **Riverbank** is the area of land within 200 feet of the edge of any flowing body of water having a width of 10 feet or more, and that area of land within 100 feet of the edge of any flowing body of water having a width of less than 10 feet during normal flow.

Section 2-1-20(g) &amp; Rule 5.74

- **Width During Normal Flow** means the distance between the opposite edges of the flow channel of the river, stream, or intermittent stream. The channel edges are indicated by evidence of erosion, scouring, destruction or prevention of terrestrial vegetation, distinct banks, or other easily recognized or distinct characteristics indicating the confined area of a flowing body of water.

Rule 5.93

### FLOOD PLAIN WETLANDS

- A **Floodway** is the channel of a river or stream, plus any immediate adjacent areas that must be kept free of encroachment in order that the 100-year flood waters can be carried without increase in flood heights or flows and without endangering life and/or property.

Rule 5.37


















- A **Flood Plain** is the land area adjacent to a river or stream or other body of flowing water which is, on the average, likely to be covered with flood waters resulting from a 100 year frequency storm. A 100 year frequency storm is one that is to be expected to be equaled or exceeded once in 100 years; or may be said to have a one percent probability of being equaled or exceeded in any given year. Rainfall intensity data for a 100 year frequency storm are those established for New England locations by the National Weather Service (formerly the U.S. Weather Bureau).

Act Section 2-1-20(c) &amp; Rule 5.36

A **Wetland Complex** is any wetland ecosystem containing more than one wetland type as described above and as defined within the Act and the Rules.

Rule 5.92

One of the more confusing parts of the regulatory process is determining which wetlands have perimeter wetland and riverbank wetlands associated with them. The following chart should help to clarify how the wetland types are related. Remember all wetlands including the 50-foot perimeter and the 100-foot and 200-foot riverbank wetlands must be avoided and protected.

WETLAND TYPE		50 FOOT PERIMETER WETLAND	100 FOOT RIVERBANK WETLAND	200 FOOT RIVERBANK WETLAND	NO PERIMETER OR RIVERBANK
<b>Vegetated Wetlands</b>					
Swamp	3 or more acres				
Marsh	1 or more acres				
Bog	Any size				
Forested Wetland	Less than 3 acres				
Shrub Wetland	Less than 3 acres				
Emergent Plant Community	Less than 1 acre				
Submergent Plant Community	Less than 1/4 acre				
<b>Flowing And Standing Water Wetlands</b>					
Pond	1/4 acre or larger				
Special Aquatic Site					
Stream/Intermittent Stream	10 feet wide or greater				
Stream/Intermittent Stream	Less than 10 feet wide				
River	10 feet wide or greater				
River	Less than 10 feet wide				
Area Subject to Storm Flowage					
Area Subject to Flooding					
<b>Flood Plain Wetlands</b>					
Floodway					
Flood Plain					

Note: There are frequent cases where a wetland type that does not by itself have an associated perimeter wetland will receive a perimeter because it is adjacent with a type that does. For example, a shrub wetland less than 3 acres will have a 50 foot perimeter wetland if it is adjacent to a pond. This example would be called a “pond-wetland complex.”

A complete copy of DEM's *Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act* can be obtained from DEM's Office of Technical and Customer Assistance located at the Foundry Office Complex at 235 Promenade Street, Providence (401-222-6800). They may also be found on the DEM website at:

<http://www.state.ri.us/dem/programs/benviron/water/permits/fresh/index.htm>

Disclaimer: This Fact Sheet is for general information purposes only and is not meant to be a substitute for the Freshwater Wetlands Act or the *Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act*.